

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JOHN L. CORRIGAN,

Plaintiff,

v.

DARRIN JENKS, et al.,

Defendants.

No. C06-1710P

ORDER RE: MOTION TO RECUSE

Plaintiff has submitted a motion to recuse the undersigned from this matter. (Dkt. No. 3). The Court interprets this pleading as a motion for recusal under 28 U.S.C. § 144, alleging bias and prejudice against Plaintiff.

Pursuant to Local General Rule 8(c), the undersigned has reviewed Plaintiff's motion for recusal and finds no valid basis for the allegations of bias and no justification for recusing voluntarily. Under 28 U.S.C. § 455, a judge must disqualify herself in any proceeding in which her impartiality might reasonably be questioned. Here, Plaintiff appears to allege that the undersigned's rulings in a prior case (C05-1727P) demonstrate bias "for a pro se in general and this pro se in particular" and notes that he was sanctioned in the amount of \$10,000 in the prior case. However, "judicial rulings alone almost never constitute a valid basis for a bias or partiality motion." Liteky v. United States, 510 U.S. 540, 555 (1994). Instead, recusal is ordinarily required "only if the bias or prejudice stems from an extrajudicial source,' and not from a judge's conduct or rulings during the course of judicial

1 proceedings.” King v. U.S. Dist. Court for the Cent. Dist. of Cal., 16 F.3d 992, 994 (9th Cir. 1994).
2 Here, Plaintiff’s allegations of bias appear to stem from the Court’s conduct or rulings during C05-
3 1727P, rather than from an extrajudicial source.

4 Because the undersigned declines to voluntarily recuse from this matter, the motion to recuse
5 (Dkt. No. 3) is now referred to Chief Judge Lasnik pursuant to Local General Rule 8(c).

6 Plaintiff also indicates in his motion that he has not yet received signed summons in this matter.
7 Unless the Chief Judge grants Plaintiff’s motion to recuse, the undersigned will consider whether to
8 direct the clerk to issue summons in this matter after the ruling on the motion to recuse. Under 28
9 U.S.C. § 144, the undersigned may take no actions in this matter until the Chief Judge has ruled on the
10 motion to recuse.

11 The clerk is directed to send copies of this order to Chief Judge Lasnik and to Plaintiff.

12 Dated: March 5, 2007.

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14 s/Marsha J. Pechman
15 Marsha J. Pechman
16 United States District Judge
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